

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

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DEUTSCHE BANK TRUST COMPANY AMERICAS, in :
its capacity as successor indenture trustee for certain series :
of Senior Notes, *et al.* :

Plaintiffs,

vs.

ADALY OPPORTUNITY FUND TD SECURITIES INC. :
C/O ADALY, et al., :

Defendants.

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Civil Action

Case No. 1:11-CV-4784
(RJH)

**ORDER EXTENDING
PLAINTIFFS' TIME
TO SERVE THE
SUMMONS AND
AMENDED COMPLAINT**

The court has considered Plaintiffs' motions [246] and [271] to extend the time for service of the summons and complaint. As plaintiffs have shown good cause, and as plaintiffs' motion was unopposed within the period set forth in Local Civil Rule 6.1(b)(2), pursuant to Federal Rules of Civil Procedure ("FRCP") 4(m) and 6(b)(1)(A) and the time period referenced in FRCP 15(c)(1)(C) (the "Motion"), the Motion is GRANTED and, subject to Plaintiffs' right to make further application for relief with respect to the periods provided in FRCP 4(m) and 15(c)(1)(C), it is hereby ORDERED that:

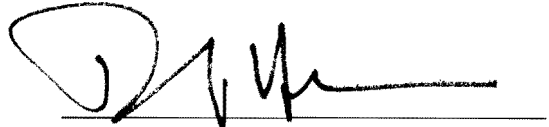
1. With respect to defendants named in the amended complaint filed on or around August 22, 2011 (a) the time for Plaintiffs to serve the summons and amended complaint in this action (as the amended complaint may be further amended from time to time, subject to and in accordance with FRCP 15 and 21) is extended by six months, retroactive to November 9, 2011, and (b) FRCP 4(m) may be satisfied by service of the amended

complaint (as it may be further amended from time to time, subject to and in accordance with FRCP 15 and 21) on or before May 9, 2012; and

2. With respect to defendants who may be added as defendants or changed through amendments on or after August 22, 2011, including defendants within the putative defendant class who Plaintiffs determine should be individually named (a) the time for Plaintiffs to serve the summons and amended complaint in this action (as the amended complaint may be further amended from time to time, subject to and in accordance with FRCP 15 and 21) and (b) the time period referenced in FRCP 15(c)(1)(C) shall expire no earlier than May 9, 2012.

SO ORDERED.

Dated: New York, New York
Oct 24, 2011

A handwritten signature in black ink, appearing to read 'R. J. Holwell', written over a horizontal line.

Richard J. Holwell
United States District Judge